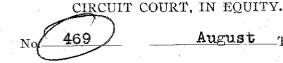
JOSEPHINE KIRKLAND,	THE STATE OF ALABAMA
Complainant,	Baldwin County
vş.	
R. L. KIRKLAND,	_/ IN EQUITY
Respondent.	Circuit Court of Baldwin County
	_)
This cause is submitted in behalf of Complaina and Testimony of Josephine Kirkland	
	•
	7
and in behalf of Defendant upon Acceptance of	Service, Answer, Waiver of notice and
igi semento to submito.	
· .	
	R. S. Duck
	Register.

STATE	OF	ALABAMA,
BAL	DWIN	COUNTY



August -Term, 193_

JOSEPHINE KIRKLAND.

Vs.

R. L. KIRKLAND,

Defendant

Complainant-

R. S. DUCK.

To-

_, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no BEEBE, HALL & BEEBE, defense having been interposed, the Complainant, by-Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Solicitor for Complainant.

JOSEPHINE KIRKLAND,) IN THE CIRCUIT COURT OF
Complainant,	
VS.) BALDWIN COUNTY, ALABAMA,
R. L. KIRKLAND,	IN EQUITY.
Respondent.	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \

Now comes the Respondent in his own proper person and waives notice of the time of taking testimony in this cause, the right to cross-examine witnesses on behalf of the Complainant, and any and all other notices required by law to be given him in connection with the taking of testimony on behalf of the Complainant, and agrees that the matter be submitted for final decree forthwith without further notice.

R. L. Kirkland.

WITNESSES:

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JOSEPHINE KIRKLAND,)	IN THE CIRCUIT COURT OF
Complainant	<i>3</i>	\	TO A TO A TO A TOTAL A TO A TO A TO A TO
Vs.	a de la companya de	,	BALDWIN COUNTY, ALABAMA,
R. L. KIRKLAND,	•	•)	IN EQUITY.
Respondent.	•	{	

Now comes the Respondent in his own proper person and accepts service of the summons in this cause and waives anyand all further notice.

Shushee

R.L.Kirkland

JOSEPHINE KIRKLAND,	IN THE CIRCUIT COURT OF
Complainant,) DAT DWITTE COTTON AT A DASSA
VS.) BALDWIN COUNTY, ALABAMA,
R. L. KIRKLAND,) IN EQUITY.
Respondent.	

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your Complainant, JOSEPHINE KIRKLAND, and humbly complaining against the Respondent, R. L. KIRKLAND, respectfully represents and shows unto your Honor and this Honorable Court as follows:

- 1. That both the Complainant and Respondent are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age; that the Complainant and Respondent are husband and wife, having intermarried at Millery, Washington County, Alabama, on May 9th, 1920; that they lived together as husband and wife until on to-wit, August 10th, 1938.
- 2. That on to-wit, August 10th, 1938, and at times prior thereto, the Respondent threatened and abused the Complainant; that his conduct is such that the Complainant has reasonable apprehension to believe and does believe that he will, if she continues to live with him as his wife, commit actual violence to her person which will necessarily endanger her life and health.
- 3. That there was born to said marriage between the Complainant and Respondent three children: Roger Lee Kirkland, Robert Otho Kirkland, and Luther Joseph Kirkland, ages respectively sixteen, twelve and ten; that the said children are now and have been living with your Complainant, their mother, all their lives; that the Complainant is ready, able and willing, and in position to take care and provide for said children.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said R. L. KIRKLAND party respondent to this Bill of Complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce forever barring the bonds of matrimony existing between her and the Respondent, R. L., KIRKLAND; that a further decree be made and entered awarding to her the custody, care and control of the said minor children: Roger Lee Kirkland, Robert Otho Kirkland and Luther Joseph Kirkland; that the Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Restantace Becke Solicitors for Complainant.

FOOT NOTE:

The Respondent, R. L. KIRKLAND, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby waived.

Bellettone Belle Solicitors for Complainant.

JOSEPHINE KIRKLAND,) IN THE CIRCUIT COURT OF
Complainant,)) BALDWIN COUNTY, ALABAMA,)
R. L. KIRKLAND,) IN EQUITY.
Respondent.	}

And now comes the Respondent in his own proper person and for answer to the Bill of Complaint filed in this cause and for each and every allegation contained therein, separately and severally, says:

1st: That he denies each and every allegation contained therein not herein specifically admitted and demands strict proof of the same.

2nd: That he admits the allegations contained in Paragraph 1.

3rd: That he denies the allegations contained in Paragraphs 2 and 3 and demands strict proof of the same.

R.L. Kirkland

WITHNESSES.

Seellace

The State of Alabama, Baldwin County

CIRCUIT COURT

То	O'BYRN	E JONES				
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KNOW	YE: That	we, having ful	l faith in your j	orudence and co	ompetency has	ve appointed you Com-
missioner, and b	y these prese	nts do authori	ize you, at such	time and place	e as vou may an	point, to call before you
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as witnesses in b	enalt of		ant.		in a cause	e pending in our Circuit
Court of Baldwir	n County, of	said State, w	vherein			
		JOSEPHIN	E KIRKLANI),		
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	<u> </u>					Complainant
and		R. L. 1	KIRKLAND			
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		<u>·</u>				 :
•						——— Defendant,
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peed, under your					ar yo our Court	, with an convenient
Witness	12th	day of	August	10	38	
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ITNESS' FEES. 8						

JOSEPHINE KIRKLAND,

Complainant,

VS.

R. L. KIRKLAND,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

This cause coming on to be heard was submitted upon the original Bill of Complaint, Answer and Waiver of the Respondent, and Testimony as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of cruelty.

IT IS FURTHER ORDERED that the Complainant and Respondent be and they are hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said JOSEPHINE KIRKLAND shall not again marry, except to the said R. L. KIRKLAND until sixty (60) days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said R. L. KIRKLAND during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, JOSE-PHINE KIRKLAND, have the custody, care and control of the minor children, namely:

Roger Lee Kirland, Robert Otho Kirkland, and Luther Joseph Kirkland, subject to

the further orders of this court.

Dated at Monroeville, Monroe County, Alabama, this _____ day of August, 1938.

Judge of the Circuit Court of Baldwin County, Alabama.

The State of Alabama

Circuit Court of Baldwin County, Alabama, (In Equity)

JOSEPHINE KIRKLAND	COMPLAINANT
vs.	
R. L. KIRKLAND	RESPONDENT
I, O'BYRNE JONES	
as RegisterCand Commissioner	
have called and caused to come before melosephin	e Kirkland and Roger Lee Kirkland
: : ·	
witness es named in the Requirement for Oral Examin	
1938 , at the office of Beebe, Hall & Beebe	
in Ray Minette , Alabama, and	having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the	said <u>Josephine Kirkland</u>
doth dep	ose and say as follows:

My name is Josephine Kirkland. I am a resident of Foley, in Baldwin County, Alabama, and am over twenty-one years of age.

The Respondent, R. L. Kirkland is over twenty-one years of age and a resident of Foley, in Baldwin County, Alabama.

The Respondent and I were married at Millery, in Washington County, Alabama, on May 9th, 1920, and lived together as husband and wife until on to-wit, August 10th, 1938. We have lived in Baldwin County, Alabama, for the past ten years.

We have three children: Roger Lee Kirkland, Robert Otho Kirkland and Luther Joseph Kirkland, who are sixteen, twelve and ten years of age, respectively; these children are now and have been all of their lives living with me.

I am in position, financially and otherwise, to care and provide for these children. I have a home and other property in and around Foley and sufficient personal property to enable me to care for them.

The Respondent has no home or established place for the keeping or caring for these minor children and is therefore not in position to care for them as they should be.

that the foregoing deposition s. on Cral Examination was taken down in writing by me in the words of the witnessex. and read over to them and they signed the same in the presence of myself and Eubert M. Fall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnessex or had proof made before me of the identity of said witnessex; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof. I enclose the said Oral Examination in an envelope to the Register of said Court. Given under my hand and seal, this 125 day of Algust 1938 ORAL DEPOSITION REGORDS NO. Processor II and the proof of the parties to said cause, or any manner interested in the result thereof. ORAL DEPOSITION REGORDS NO. Processor II and II am not of the parties to said cause, or any manner interested in the result thereof. ORAL DEPOSITION REGORDS NO. Processor II and II am not of the parties to said cause, or any manner interested in the result thereof. ORAL DEPOSITION REGORDS NO. Processor II and II am not of the parties to said cause, or any manner interested in the result thereof. ORAL DEPOSITION REGORDS NO. Processor II and II am not of the parties to said cause, or any manner interested in the result thereof. ORAL DEPOSITION REGORDS NO. Processor II and II am not of the parties to said cause, or any manner interested in the result thereof. I am not of the parties to said cause, or any manner interested in the result thereof. I enclose the said Oral Examination in an envelope to the Register of said Court. ORAL DEPOSITION REGORDS NO. Processor II am not of the parties to said cause, or any manner interested in the result II am not of the parties to said cause, or any manner interested in the result II am not of the parties to said cause, or any manner interested in the result II am not of the parties to said cause, or any manner interested in the result II and not of the parties to said cause, or any manner interested	I, O'BYRNE JONES	, as Reğister	Zmk Commission	ner hereby certify
at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof. I enclose the said Oral Examination in an envelope to the Register of said Court. Given under my hand and seal, this 125 day of August 1938 ORAL DEPOSIT ORAL DEPOSIT Page ONE PROOF NOTE A LEGISLAND Page	that the foregoing deposition s on Oral Exam	ination was taken d	lown in writing b	y me in the words
at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof. I enclose the said Oral Examination in an envelope to the Register of said Court. Given under my hand and seal, this 12 day of August 1938 ORAL DEPOSIT ORAL DEPOSIT No. ORA	of the witnesses_and read over tothem	and they	signed the same	in the presence of
witness es or had proof made before me of the identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof. I enclose the said Oral Examination in an envelope to the Register of said Court. Given under my hand and seal, this 124 day of August 1938 ORAL DEPOSIT ORAL DEPOSIT OURTHAND Page ONE Page OURTH NO CRUIT COURT, IN ELECTRONIC COUNTY Page ONE P	myself and Hubert M. Hall			
The State of Alab BALDWIN COUNTY I enclose the said Oral Examination in an envelope to the Register of said Court. Given under my hand and seal, this 12 day of August 1938 Commissioner Commissioner August 1938 IN CIRCUIT COUNTY IN CIRCUIT COUNTY ORAL DEPOSIT Page Vol. Page Page ORAL DEPOSIT	at the time and place herein mentioned; that I	have personal know	ledge of persona	al identity of said
I enclose the said Oral Examination in an envelope to the Register of said Court. Given under my hand and seal, this 12th day of August 1938 Wayne	witness es or had proof made before me of	the identity of sai	id witnesses ;	that I am not of
Given under my hand and seal, this 12 day of August 1938 The State of Alab BALDWIN COUNTY IN CIRCUIT COURT, IN ENGLAND ORAL DEPOSIT RECORDED IN Page Vol. Page Page Page Page Page	counsel or of kin to any of the parties to said of	cause, or any manne	r interested in th	e result thereof.
The State of Alab BALDWIN COUNTY IN CIRCUIT COURT, IN E JOSEPHINE KIRKLAND RESERVED REAL MERIAND RECORDED IN RECORDED IN Page Page Vol. Page	I enclose the said Oral Examination in	an envelope to the	Register of said (Court.
The State of Alab BALDWIN COUNTY IN CIRCUIT COURT, IN E JOSEPHINE KIRKLAND R. L. KIRKLAND RECORDED IN RECORDED IN Page Vol. Page	Given under my hand and seal, this	12 day of -	August	1938
The State of Alab BALDWIN COUNTY IN CIRCUIT COURT, IN E JOSEPHINE KIRKIAND R. L. KIRKIAND RESPONSIT ORAL DEPOSIT Piled Ougast 12 RECORDED IN Page Vol. Page				
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The State of Alabama

Circuit Court of Baldwin County, Alabama, (In Equity)

JOSEPHINE KIRKLAND		COMPLAINANT
,	vs.	
R. L. KIRKLAND		RESPONDENT
I, O'BYRNE JONES		
as RegisterCand Commissioner		
have called and caused to come before melose	phine Kirkland	and Roger Lee Kirkland
	· · · · · · · · · · · · · · · · · · ·	
witness as named in the Requirement for Oral E		
1938, at the office of Beebe, Hall & Beeb	<u>e</u>	
in <u>Bay Minette</u> , Alabama,	and having first sw	orn said witness es to speak th
truth, the whole truth, and nothing but the truth,	, the said <u>Jose</u>	nhine Kirkland
dot	h depose and say as	s follows:

My name is Josephine Kirkland. I am a resident of Foley, in Baldwin County, Alabama, and am over twenty-one years of age.

The Respondent, R. L. Kirkland is over twenty-one years of age and a resident of Foley, in Baldwin County, Alabama.

The Respondent and I were married at Millery, in Washington County, Alabama, on May 9th, 1920, and lived together as husband and wife until on to-wit, August 10th, 1938. We have lived in Baldwin County, Alabama, for the past ten years.

We have three children: Roger Lee Kirkland, Robert Otho Kirkland and Luther Joseph Kirkland, who are sixteen, twelve and ten years of age, respectively; these children are now and have been all of their lives living with me.

I am in position, financially and otherwise, to care and provide for these children. I have a home and other property in and around Foley and sufficient personal property to enable me to care for them.

The Respondent has no home or established place for the keeping or caring for these minor children and is therefore not in position to care for them as they should be.

The Respondent and I have for sometime been having marital difficulties and it has just recently gotten to the point where it is impossible for us to live together as husband and wife. The Respondent has at times threatened me, somewhat indirectly, and his conduct is such here recently that I have reasonable apprehension to believe that if I should continue to live with him as his wife, he will carry out his threats and do actual violence to my person, which would necessarily endanger my life and health.

The Respondent and I have reached a property settlement, which is fully agreeable to me and enables me to provide for myself and my children.

grefhine Kurhland

ROGER LEE KIRKLAND, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Roger Lee Kirkland. I am the son of the Complainant and the Respondent in this cause and live at Foley, in Baldwin County, Alabama. I have been in the home with my mother and father all of my life and know that just recently conditions have gotten to the point where it is impossible for them to longer live together as husband and wife. These difficulties or differences have grown from time to time and are now such that it is not, in my judgment, advisable that they continue to live together as husband and wife.

Roger Lee Tribland

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CIRCUIT COURT, IN EQUITY State JOSEPHINE Baldwin County. О Нъ Vs. Complainant. KIRKLAND, Respondent. Alabama, KIRKLAND,

REQUEST FOR DECREE VACATION Z

August 12th. Register. _, 193_**8**

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Register.

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State BALDWIN COUNTY <u></u> Alabama

Circuit Court of Baldwin County JOSEPHIME KIRKLAND, KIRKLAND Z EQUITY ٧s. Complainant, Respondent.

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JOSEPHINE KIRKLAND, Complainant,

VS.

R. L. KIRKLAND,

Respondent.

BALDWIN COUNTY, ALABAMA, IN THE CIRCUIT COURT OF

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Clerk-Register

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

JOSEPHINE KIRKLAND,
Complainant.

R. L. KIRKLAND,
Respondent.

O'BYENE JONES
COMMISSIONER:

WITNESSES:

JOSEPHINE KIRKLAND,

Complainant,

VS.

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

· ALI MOS NI

JOSEPHINE KIRKLAND,

Complainant,

VS.

R. L. KIRKLAND,

Respondent.

IN THE CIRCUIT COURT OF

BALIWIN COUNTY, ALABAMA,

IN EQUITY.

R. S. Sheed

JOSEPHINE KIRKLAND,

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Complainant,

R. L. KIRKLAND,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

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